

01/26/01

JCS665 U.S. PTO

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PTO/SB/29 (12/97)  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	8932-296	Total Pages	45
First Named Inventor or Application Identifier			
Theo WALLIMANN et al.			
Express Mail Label No.	N/A		

## APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing*
2. ☒ Specification [Total Pages 38]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description of the Invention *(including drawings, if filed)*
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) *(35 USC 113)* [Total Sheets 5]
- ☒ Oath or Declaration *(unexecuted)* [Total Sheets 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
**[Note Box 5 below]**
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
  - ☒ Incorporation By Reference *(useable if Box 4b is checked)*  
The entire disclosure of the prior application, listed in Box 17, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
*(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
14. ☐ Small Entity ☐ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: PCT/EP98/04713 filed July 28, 1998.

## 18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label		20582 <i>(Insert Customer No. or Attach bar code label here)</i>		<input type="checkbox"/> Correspondence address below	
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**PENNIE & EDMONDS LLP**  
**COUNSELLORS AT LAW**  
 1667 K Street, N.W.  
 Washington, D.C. 20006  
 (202) 496-4400

ATTORNEY DOCKET NO. 8932-296 Date: January 26, 2001

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:  
 The following utility patent application is enclosed for filing:

Applicant(s): Theo WALLIMANN et al. Executed on: Unexecuted  
 Title of Invention: METHODS OF TREATING BONE OR CARTILAGE CONDITIONS BY THE ADMINISTRATION OF CREATINE

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	27	-20	7	\$18.00 each	\$ 126.00
Independent	6	-3	3	\$80.00 each	\$ 240.00
Minimum Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 0.00
<b>Total</b>					<b>\$ 1,076.00</b>
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)					- \$ 0.00
<b>Total Filing Fee</b>					<b>\$ 1,076.00</b>

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- ☒ Priority of application no. PCT/EP98/04713 filed on July 28, 1998 in the United States is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application has been filed in PCT/EP98/04713 filed July 28, 1998 of which this application is a continuation.
- ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,  
*Jeffrey A. Wolfson* (42,234)  
 30,256  
 For: Allan A. Fanucci (Reg. No.)  
 PENNIE & EDMONDS LLP

Enclosure